

NOV 09 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: § Group Art Unit: 3621
 Dutta
 §
 §
 §
 Serial No.: 09/726,272 § Examiner: Calvin L. Hewitt II
 §
 Filed: November 30, 2000 § Attorney Docket No. AUS920000650US1
 §
 Title: System and Method for Third Party § IBM Corporation, IP Law Department
 Logging Server § 11400 Burnet Road
 § Internal Zip 4054
 § Austin, Texas 78758

Certificate of Facsimile Under C.F.R. 51.8(a)

I hereby certify that this correspondence was sent via facsimile to the United States Patent Office to telephone number 703-746-7238 on November 9, 2004.

By Joseph T. Van Leeuwen
 Joseph T. Van Leeuwen

11/9/04

Date

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed August 9, 2004, finally rejecting claims 37-72.

The item(s) marked below are appropriate:

1. A petition and fee for extension of term for reply to the final rejection is attached.
2. Appeal fee
 other than a small entity. Fee: \$340.00
3. Payment
 Please charge Deposit Account 09-0447 the sum of \$340.00. A duplicate of this notice is attached.

Respectfully submitted,

By Leslie A. Van Leeuwen
 Leslie A. Van Leeuwen
 Attorney for Applicant
 Registration No. 42,196
 Telephone: (512) 301-6738
 Facsimile: (512) 301-6742

Docket No. AUS920000650US1

Page 1
 Dutta - 09/726,272

Atty Ref. No. IBM-0039

PAGE 33 * RCV'D AT 11/9/2004 12:59:45 PM (Eastern Standard Time) * FVR:USPTO-EFXP07-13 * DNGR:8729306 * CSD:5123016742 * DURATION (min:sec):01:16

11/29/2004 SWILLIAM 00000007 090447 09726272
 01 FC:1401 340.00 DA

*Scanned by
 show the fee*